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General Assembly

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International Law Commission
Fifty-eighth session
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Filling of casual vacancies in the Commission

Note by the Secretariat

Addendum

I. List of candidates

1. As of 3 April 2006, the name of the following candidate had been submitted for the seat which became vacant as a consequence of the resignation of Mr. Bernardo Sépulveda:

Mr. Eduardo Valencia-Ospina (Colombia)

2. The curriculum vitae of the above candidate is contained in section II below.

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II. Curriculum vitae of candidate

Eduardo Valencia-Ospina (Colombia)

Place and date of birth: Cali, Colombia, 19 September 1939.

Languages: Fluent in Spanish (mother tongue), English and French (spoken, read and written).

Academic Qualifications:

(a) "Bachiller", "Colegio de Santa Librada", Cali, 1956 (1950-1956).

(b) Doctor of Juridical Sciences, Pontifical Javeriana University, Bogota, 1962 (1957-1961).

(c) Doctor of Economic Sciences, Pontifical Javeriana University, 1962 (1957-1961).

(d) Certificate of successful completion of one-year specialized course on Labor Law and Economics, Pontifical Javeriana University, 1961.

(e) Certificate of successful completion of a "Workshop on American Law for Colombian lawyers", Southern Methodist University, Dallas, U.S.A., 1961.

(f) Certificate of successful completion of the "Foreign Students Program", Yale University, New Haven, U.S.A. 1962.

(g) Master of Laws, Harvard University (Law School), Cambridge, U.S.A., 1963 (1962-1963). *Specialization:* International Law.

(h) Special Graduate Studies, Harvard Law School (1963-1964). *Specialization:* International Law.

Honours:

(a) Gold medal "General Santander" awarded to the best student at "Colegio de Santa Librada" (1956).

(b) First place at the Law School of the Pontifical Javeriana University (1961).

(c) ICETEX scholarship granted during each of the five years of Law School at Javeriana University.

(d) "Fulbright" grant, 1962.

(e) Fellowship, Harvard University, 1962-1963.

(f) Fellowship, Organization of American States, 1963-1964.

(g) Commander of the "Order of the Confederated Cities" conferred by the State Government of Cali (1995).

(h) Gold Medal "José Félix Restrepo", highest decoration conferred by Javeriana University (1997).

(i) Commander of the "Order Javeriana" conferred by the Associations of Javeriana University Alumni (1997).

(j) "Commentaries on World Court's Decisions, 1987-1996" book dedicated to him, published by Kluwer Law International (1998).

(k) First Honorary Member of the T.M.C.Asser Institute, The Hague (2001).

(l) "Visiting Scholar" of the Center for International Studies of the Law School of New York University (2001).

(m) Grand Cross of the Order of San Carlos conferred by the President and Foreign Minister of the Republic of Colombia (2001).

Professional Experience:

I. Post-United Nations Career (2000-present):

(a) Consultant in international law to several Governments, including Colombia's.

(b) Consultant in international law to the Law Firm Frere Cholmeley/Eversheds (Paris).

(c) Editor in Chief of the periodical "The Law and Practice of International Courts and Tribunals" published by Martinus Nijhoff (Leiden).

II. Prior to United Nations Career:

(a) Legal Assistant to the First Solicitor General, Colombian Council of State, 1961-1962.

(b) "Associate", Law Firm "Ropes and Grey", Boston, U.S.A. 1963.

III. United Nations Career (1964-2000):

A. International Court of Justice (1984-2000):

(a) Registrar, elected on 19 February 1987, re-elected on 17 February 1994, for 7-year terms, with the rank of Assistant Secretary-General of the United Nations.

(b) Deputy-Registrar, elected on 11 April 1984 for a 7 year term.

During his tenure, the following cases have been before the Court:

(a) Contentious:

1. Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/United States of America).

2. Continental Shelf (Libyan Arab Jamahiriya/Malta).

3. Frontier Dispute (Burkina Faso/Republic of Mali).

4. Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America).

5. Application for Revision and Interpretation of the Judgment of 24 February 1982 in the Case Concerning the Continental Shelf (Tunisia v. Libyan Arab Jamahiriya).

6. Border and Transborder Armed Actions (Nicaragua v. Costa Rica).

7. **Border and Transborder Armed Actions** (Nicaragua v. Honduras).

8. **Land, Island and Maritime Frontier Dispute** (El Salvador/Honduras), including **Request by Nicaragua for Permission to Intervene**.

9. **Elettronica Sicula S.p.A. (ELSI)** (United States of America v. Italy).

10. **Maritime Delimitation in the Area between Greenland and Jan Mayen** (Denmark v. Norway).

11. **Aerial Incident of 3 July 1988** (Islamic Republic of Iran v. United States of America).

12. **Certain Phosphate Lands in Nauru** (Nauru v. Australia).

13. **Arbitral Award of 31 July 1989** (Guinea-Bissau v. Senegal).

14. **Territorial Dispute** (Libyan Arab Jamahiriya/Chad).

15. **East Timor** (Portugal v. Australia).

16. **Maritime Delimitation between Guinea-Bissau and Senegal**.

17. **Passage through the Great Belt** (Finland v. Denmark).

18. **Maritime Delimitation and Territorial Questions between Qatar and Bahrain**.

19. **Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie** (Libyan Arab Jamahiriya v. United Kingdom).

20. **Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial incident at Lockerbie** (Libyan Arab Jamahiriya v. United States of America).

21. **Oil Platforms** (Islamic Republic of Iran v. United States of America).

22. **Application of the Convention on the prevention and Punishment of the Crime of Genocide** (Bosnia and Herzegovina v. Yugoslavia).

23. **Gabcikovo-Nagymaros Project** (Hungary/Slovakia).

24. **Land and Maritime Boundary between Cameroon and Nigeria**.

25. **Fisheries Jurisdiction** (Spain v. Canada).

26. **Request for an Examination of the Situation in Accordance with paragraph 63 of the Court's Judgment of 20 December 1974 in the Nuclear Tests** (New Zealand v. France) case.

27. **Kasikili/Sedudu Island** (Botswana/Namibia).

28. **Vienna Convention on Consular Relations** (Paraguay v. United States of America).

29. **Request for Interpretation of the Judgment of 11 June 1998 in the Case concerning the Land and Maritime Boundary between Cameroon and Nigeria, Preliminary Objections**.

30. **Sovereignty over Pulau Ligitan and Pulau Sipadan** (Indonesia/Malaysia).

31. Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo).

32. La Grand (Germany v. United States of America).

33. Legality of Use of Force (Yugoslavia v. Belgium).

34. Legality of Use of Force (Yugoslavia v. Canada).

35. Legality of Use of Force (Yugoslavia v. France).

36. Legality of Use of Force (Yugoslavia v. Germany).

37. Legality of Use of Force (Yugoslavia v. Italy).

38. Legality of Use of Force (Yugoslavia v. Netherlands).

39. Legality of Use of Force (Yugoslavia v. Portugal).

40. Legality of Use of Force (Yugoslavia v. Spain).

41. Legality of Use of Force (Yugoslavia v. United Kingdom).

42. Legality of Use of Force (Yugoslavia v. United States of America).

43. Armed activities on the territory of the Congo (Democratic Republic of the Congo v. Burundi).

44. Armed activities on the territory of the Congo (Democratic Republic of the Congo v. Uganda).

45. Armed activities on the territory of the Congo (Democratic Republic of the Congo v. Rwanda).

46. Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Yugoslavia).

47. Aerial Incident (Pakistan v. India).

(b) Advisory:

1. Application for Review of Judgment No. 333 of the United Nations Administrative Tribunal.

2. Applicability of the Obligation to Arbitrate under Section 21 of the United Nations Headquarters Agreement of 26 June 1947.

3. Applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations.

4. Legality of the Use by a State of Nuclear Weapons in Armed Conflict.

5. Legality of the Threat or Use of Nuclear Weapons.

6. Difference relating to immunity from legal process of a Special Rapporteur of the Commission on Human Rights.

B. United Nations Secretariat (Office of Legal Affairs) (1964-1984):

(a) Appointed, Assistant Legal Officer, September 1964;

(b) Resigned, as Senior Legal Officer, March 1984.

1. Legal assistance to United Nations codification organs and conferences

Member of the secretariat of the following organs and conferences:

(a) International Law Commission (since 1966: eighteen consecutive sessions), Deputy Secretary of the Commission since 1981; Secretary of the Drafting Committee since 1976.

(b) Sixth Committee of the General Assembly (since 1966; eighteen consecutive sessions), Assistant Secretary; Secretary of the Drafting Committees or Working Groups set up in connection with the following items: — Draft Convention on Special Missions (1968, 1969); — Draft Convention on the Prevention and Punishment of Crimes against Diplomatic Agents and other Internationally Protected Persons (1973); — Draft Declaration on the Right of Asylum (1965-1967).

(c) United Nations Conference on the Law of Treaties (Vienna, 1969), Special Assistant to the Expert Consultant (Sir H. Waldock); Assistant-Secretary of the Committee of the Whole.

(d) United Nation Conference on Representation of States in their Relations with International Organizations (Vienna, 1975), Assistant-Secretary of the Drafting Committee.

(e) United Nations Conference on Territorial Asylum (Geneva, 1977), Secretary of the Drafting Committee.

(f) United Nations Conference on Succession of States in respect of Treaties (Vienna, 1977-1978), Secretary of the Drafting Committee.

(g) United Nations Conference on Succession of States in respect of State Property, Archives and Debts (Vienna, 1983), Secretary of the Committee of the Whole and of the Drafting Committee.

(h) Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States (1966-1970), Assistant Secretary.

(i) Special Committee on the Question of Defining Aggression (1967-1972), Assistant Secretary.

(j) Ad Hoc Committee on International Terrorism (1973, 1977), Assistant Secretary).

(k) Ad Hoc Committee on the Charter of the United Nations (1975), Assistant Secretary.

2. Research, studies and publications on subjects of international law

A sample of United Nations documentation and publications in the preparation of which he has participated, follows:

(a) The practice of the United Nations, the specialized agencies and IAEA concerning their status, privileges and immunities (A/CN.4/L.118 and Adds. 1 and 2, 1967 *ILC Yearbook*);

(b) Relations between States and International organizations (A/CN.4/241 and Adds. 1-6, 1971 *ILC Yearbook*);

(c) Review of the International Law Commission's programme and methods of work (A/7209/Rev.1, Annex; 1968 *ILC Yearbook*);

(d) Review of the International Law Commission's Programme of Work, (A/CN.4/230; 1970 *ILC Yearbook*);

(e) Survey of International Law (A/CN.4/245/Rev.1; 1971 *ILC Yearbook*);

(f) Succession of States to multilateral treaties (A/CN.4/200 and Add.1 and 2; A/CN4/210; A/CN.4/225; 1968, 1969 and 1970 *ILC Yearbooks*);

(g) Succession of States to bilateral treaties (A/NC.4/229; A/CN.4/243 and Add.1; 1970 and 1971 *ILC Yearbooks*);

(h) Review of the multilateral treaty-making process (A/35/312/Add.2; A/CN.4/325; 1979 *ILC Yearbook*);

(i) Review of the role of the International Court of Justice (A/8382, 1971);

(j) International terrorism (A/C.6/418 and Add.1, 1972);

(k) Survey on existing rules of international law concerning the prohibition or restriction of use of specific weapons (A/9215, Vols. I and II , 1973);

(l) Diplomatic Asylum (A/10139, Part II, 1975);

(m) Volume 14 of the *United Nations Legislative Series* "Materials on Succession of States"; (ST/LEG/SER.B/14);

(n) Volume 17 of the *United Nations Legislative Series* "Materials on Succession of States in Respect of matters other than Treaties"; (ST/LEG/SER.B17);

(o) Volume XIV of the *Reports of International Arbitral Awards* (U.N. publication 65.V.4.);

(p) Volume XV of the *Reports of International Arbitral Awards* (U.N. publication 66.V.3);

(q) Volume XVI of the *Reports of International Arbitral Awards* U.N. publication E/F.69/V.1);

(r) The Work of the International Law Commission (3rd edition, 1980; U.N. publication E.80.V.11);

(s) Research project on circumstances precluding wrongfulness other than "force majeure" and "fortuitous event" (i.e., necessity, self-defence, consent, legitimate application of sanction);

(t) Research project on the most-favoured nation clause;

(u) Research project on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier.

Other Writings

(a) "Algunas Consideraciones Jurídicas y Económicas Suscitadas por el Tema de la Actuación Estatal", (Bogotá, "La Meta" Edit., 1962);

(b) "Legal Problems in Commodities Trade: the International Coffee Agreement" (Cambridge, U.S.A. 1963);

(c) "La droit et son interprète" in "Guy Ladreit de Lacharrière et la politique juridique extérieure de la France" (Paris, "Masson" Edit., 1989);

(d) "The International Court of Justice and International Environmental Law" (Asian Yearbook of International Law, Vol. 2, 1994);

(e) "The Use of Chambers of the International Court of Justice" in "Essays in honour of Sir Robert Jennings" (Cambridge University Press, 1995);

(f) "The role of the International Court of Justice in fifty years of the United Nations" (The Hague Yearbook of International Law, Vol. 8, 1995);

(g) "Conceptual and Practical Aspects of the Codification and Progressive Development of International Law: New Developments and Priorities" in International Law as Language of International Relations" (U.N. publication T.96.V.4);

(h) "International Law and the Information Era" in "Problems of Contemporary International Law: Conflicts and Convergences" (The Hague, T.M.C.Asser Institute, 1996);

(i) "Financing, Administering and Making Known the Work of the Court" in "Increasing the Effectiveness of the International Court of Justice" published under the auspices of UNITAR ("Kluwer" Edit., 1997);

(j) "Nueva Aproximación al *Uti Possidetis Juris*" (Quaestiones juridicae, 13 Bogotá, 1997);

(k) "The role of the International Court of Justice in the Pact of Bogotá" in "Essays in honour of José María Ruda" ("Kluwer" Edit., 1999);

(l) "The role of the International Court of Justice in disputes relating to the Law of International Watercourses" in Proceedings of the First Regional Latin-American Conference of the International Law Association (Sao Paulo, Brazil, 1999);

(m) "Evidence before the International Court of Justice" (International Law Forum du Droit International, Vol. I, 1999);

(n) "[My] Bookshelf" (International Law Forum du Droit International, Vol. IV, 2000);

(o) "Non-governmental Organizations and the International Court of Justice" in "Civil Society, International Courts and Compliance Bodies" (T.C.M. Asser Press, 2005);

(p) "International Boundary Delimitation and the Law of Treaties" in Boundary Negotiation and Dispute Resolution" (IBRU, Cd-Rom, Durham, U.K., 2005);

(q) "Agents before International Courts and Tribunals" in "Max-Planck Encyclopedia of International Law" (Oxford University Press, 2006).

Miscellaneous activities:

(a) "Special assistant" to the President of the United Nations General Assembly at its 28th (1973), 33rd (1978) and 38th (1983) sessions;

(b) Representative of the United Nations at the 22nd International Conference of the Red Cross held at Teheran, 1973;

(c) Participant, on behalf of the United Nations Office of Legal Affairs, in the Round-Tables of Experts on Refugee Law organized by the International Institute of Humanitarian Law in San Remo (1978) and Florence (1979);

(d) Member of the Publications Board of the United Nations;

(e) Member of the delegations of the International Court of Justice to the 39th (1984) to 54th (1999) sessions of the United Nations General Assembly;

(f) Observer for the International Court of Justice at the 1985 (Arusha), 1989 (Beijing) and 1992 (Islamabad) Meetings of the Asian-African Legal Consultative Committee;

(g) Observer for the International Court of Justice at the 8th United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Havana, 1990);

(h) Observer for the International Court of Justice at the United Nations Conference on Environment and Development (Rio de Janeiro 1992);

(i) Presiding judge (Washington, D.C.) and judge (United Nations, New York) in the World final rounds and Presiding judge in the Dutch final rounds (The Hague) of the "Jessup International Law Moot Court Competition";

(j) Judge in the Telders Moot Court Competition (Leiden);

(k) Honorary member of the Board of Editors of the Leiden Journal of International Law;

(l) Member of the Editorial Advisory Council for the projected Latin-American Yearbook of Public International Law (Geneva);

(m) Member of the Board of Directors of the Manfred Lachs Foundation (Netherlands);

(n) Member of the Steering Committee of the Project on International Courts and Tribunals PICT (New York and London Universities);

(o) Delegate to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Vienna, 2000);

(p) Delegate of the Court of Arbitration of the International Chamber of Commerce (Paris), 19th. Diplomatic Conference of The Hague Conference on Private International Law (2001);

(q) Participant as chairman and featured speaker in numerous international conferences, colloquia, round-tables and symposia, on subjects of international law.

Lectures given:

(a) Twentieth and thirty-second external programmes of The Hague Academy of International Law (Bogotá, 1998 and Manila, 2001);

(ii) Twenty-third Course in International Law organized by the Inter-America Juridical Committee (Rio de Janeiro, 1996);

(iii) Wolfson Lectureship at the Dean Rusk International Law Center (University of Georgia, U.S.A.);

(iv) PICT Training Programme, Law School of the University of Pretoria ;

(v) PICT Training Programme, Ministry of Foreign Affairs, Teheran;

(vi) International Boundaries Research Unit of Durham University (U.K.),Workshops in Paris (2003) and Durham (2005);

(vii) Homage to Rafael Altamira, on behalf of the International Court of Justice (Alicante);

(viii) UN/UNITAR Seminar organized in conjunction with The Hague Academy of International Law Programme;

(ix) Graduate Study Programme at the United Nations Office at Geneva;

(x) International Law Seminar organized in conjunction with the annual sessions of the International Law Commission in Geneva;

(xi) Seminar for Delegates organized by UNITAR in New York;

(xii) Seminars for visiting student groups organized by the UN Office of Public Information in New York.

(xiii) *Universities (Law Faculties) and other academic institutions*:

Javeriana and Colegio del Rosario (Bogotá, Colombia); Asser Institute and Institute for Social Studies (The Hague), Leiden, Rotterdam and Utrecht (The Netherlands); Boston, California (Davis), Georgia (Athens), Harvard (Cambridge), Yale (New Haven); New York and City College of the City University of New York, (U.S.A.); Oxford, London (University, Kings and Queen Mary Colleges; SOAS), London School of Economics and British Institute of International Law (U.K.); Buenos Aires and El Salvador (Argentina); Vienna (Austria); Institute of Public Law and Political Science, Getulio Vargas Foundation (Rio de Janeiro) and University of Sao Paulo (Brazil); Inter-American Institute on Human Rights and University for Peace (San José, Costa Rica); Diplomatic Academy (Quito, Ecuador); Diplomatic Institute (Cairo, Egypt); Center of International and European Economic Law (Thessaloniki, Greece); Isfahan (Iran); Milan (Italy) and Atheneum (Manila, Philippines).

(xiv) *Associations and other institutions*:

State Supreme Court (Cali); Association of Attenders and Alumni of The Hague Academy of International Law and Hispanic Society of the Netherlands; Association of the Bar of the City of New York and American Association of Maritime Law (U.S.A.); Cuban Association for the United Nations (Havana); Egyptian Society of International Law (Cairo); Romanian Society for International Relations (Bucharest); World Association of Former United Nations Fellows and Interns (Geneva); Greek and Brazilian Chapters of the International Law Association (Athens and Sao Paulo).

Membership of learned societies:

(a) American Society of International Law.

(b) International Law Association:

(i) Chairman of the Study Group on Responsibility of International Organizations (2005-);

(ii) Member of the Committee on Accountability of International Organizations;

(iii) Member of the Study Group on the Independence of the International Judiciary.